

**Petition For Revival Of An Application For Patent Abandoned  
Unintentionally Under 37 CFR 1.137(b) (Large Entity)**

Docket No.  
**JP920000214US1 (19109)**

In Re Application Of: **Hiroshi Takayasu, et al.**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
09/918,986	July 31, 2001	Tung S. Lau	23389	2863	3813

Invention: **METHOD AND SYSTEM FOR DETERMINING THE PERFORMANCE OF DATA PROCESSING  
DEVICE WITH UNSYNCHRONIZED CLOCKS**

Attention: Office of Petitions  
Mail Stop Petition  
COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

NOTE: If information or assistance is needed in completing this form, please contact Petitions  
Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper response to a notice or action by the Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extension of time actually obtained.

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee—required for all utility and plant applications  
filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. ☒ A proposed reply to the above-identified notice or action:

☒ is enclosed. ☐ was filed on \_\_\_\_\_

The proposed reply is in the form of: a Request for Continued Examination (RCE)

2. ☐ The issue fee:

☐ is enclosed. ☐ was paid on \_\_\_\_\_

3. ☒ The abandoned application was a:

☐ design application. ☒ utility application. ☐ plant application.

4. ☐ A terminal disclaimer (and fee) disclaiming a period equivalent to the period of abandonment is enclosed.

5. ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

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Invention: **METHOD AND SYSTEM FOR DETERMINING THE PERFORMANCE OF DATA PROCESSING  
DEVICE WITH UNSYNCHRONIZED CLOCKS****Calculation and Payment of Fees**

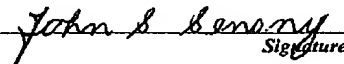
Enclosed are the following fees:

6. ☒ Petition fee under 37 CFR 1.17(m) in the amount of: 1,500
7. ☐ Fee for amendment in the amount of: \_\_\_\_\_
8. ☐ Fee for extension of time to respond to Office Action in the amount of: \_\_\_\_\_
9. ☐ Issue fee in the amount of: \_\_\_\_\_
10. ☐ Continuing application filing fee in the amount of: \_\_\_\_\_
11. ☐ Terminal disclaimer fee in the amount of: \_\_\_\_\_
12. ☐ \_\_\_\_\_
- Total fees enclosed: \$1,500.00

The fee of **\$1,500** is to be paid as follows:

- ☐ A check in the amount of the fee is enclosed.
- ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to  
Deposit Account No. **09-0457/IBM**
- ☐ Payment by credit card. Form PTO-2038 is attached.

**WARNING: Information on this form may become public. Credit card information should not be  
included on this form. Provide credit card information and authorization on PTO-2038.**

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In Re Application Of: <b>Hiroshi Takayasu, et al.</b>									
Application No. <b>09/918,986</b>	Filing Date <b>July 31, 2001</b>	Examiner <b>Tung S. Lau</b>	Customer No. <b>23389</b>	Group Art Unit <b>2863</b>	Confirmation No. <b>3813</b>				
Invention: <b>METHOD AND SYSTEM FOR DETERMINING THE PERFORMANCE OF DATA PROCESSING DEVICE WITH UNSYNCHRONIZED CLOCKS</b>									
 <b>Statement</b>  									
The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.									
 _____ <b>John S. Sensny</b> Registration No. 28,757  <b>Scully, Scott, Murphy &amp; Presser</b> 400 Garden City Plaza - Suite 300 Garden City, New York 11530 (516) 742-4343			Dated: <b>October 5, 2005</b>						
cc: JSS:jy			<table border="1" style="width: 100%; border-collapse: collapse;"><tr><td style="text-align: center;">I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____</td></tr><tr><td style="text-align: center;">(Date)</td></tr><tr><td style="text-align: center;">_____ Signature of Person Mailing Correspondence</td></tr><tr><td style="text-align: center;">_____ Typed or Printed Name of Person Mailing Correspondence</td></tr></table>			I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____	(Date)	_____ Signature of Person Mailing Correspondence	_____ Typed or Printed Name of Person Mailing Correspondence
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<b>CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)</b>			<b>Docket No.</b>
Applicant(s): <b>Hiroshi Takayasu, et al.</b>			<b>JP920000214US1 (19109)</b>
<b>Application No.</b> 09/918,986	<b>Filing Date</b> July 31, 2001	<b>Examiner</b> Tung S. Lau	<b>Group Art Unit</b> 2863
<b>Invention: METHOD AND SYSTEM FOR DETERMINING THE PERFORMANCE OF DATA PROCESSING DEVICE WITH UNSYNCHRONIZED CLOCKS</b>			
<p>I hereby certify that this <u>Petition for Revival and Request for Continued Examination (RCE)</u> (Identify type of correspondence) is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>(571) 273-8300</u> on <u>October 5, 2005</u> (Date)</p> <p style="text-align: right;"><u>John S. Sensny</u> (Typed or Printed Name of Person Signing Certificate) <u>John S. Sensny</u> (Signature)</p> <p style="text-align: center;">Note: Each paper must have its own certificate of mailing.</p>			

P18/REV02

<b>Petition For Revival Of An Application For Patent Abandoned Unintentionally Under 37 CFR 1.137(b) (Large Entity)</b>					<b>Docket No. JP920000214US1 (19109)</b>	
In Re Application Of: <b>Hiroshi Takayasu, et al.</b>						
Application No. <b>09/918,986</b>	Filing Date <b>July 31, 2001</b>	Examiner <b>Tung S. Lau</b>	Customer No. <b>23389</b>	Group Art Unit <b>2863</b>	Confirmation No. <b>3813</b>	
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1. <input checked="" type="checkbox"/> A proposed reply to the above-identified notice or action:						
<input checked="" type="checkbox"/> is enclosed. <input type="checkbox"/> was filed on _____						
The proposed reply is in the form of: <u><b>a Request for Continued Examination (RCE)</b></u>						
2. <input type="checkbox"/> The issue fee:						
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3. <input checked="" type="checkbox"/> The abandoned application was a:						
<input type="checkbox"/> design application. <input checked="" type="checkbox"/> utility application. <input type="checkbox"/> plant application.						
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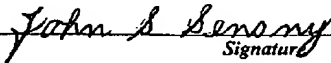
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9. <input type="checkbox"/> Issue fee in the amount of:						<u>          </u>
10. <input type="checkbox"/> Continuing application filing fee in the amount of:						<u>          </u>
11. <input type="checkbox"/> Terminal disclaimer fee in the amount of:						<u>          </u>
12. <input type="checkbox"/> _____						<u>          </u>
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Signature**John S. Sensny**  
Registration No. 28,757**Scully, Scott, Murphy & Presser**  
400 Garden City Plaza - Suite 300  
Garden City, New York 11530  
(516) 742-4343

cc: JSS:jy

Dated: **October 5, 2005**

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[Page 3 of 3]